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STATE OF NEW YORK.)
COUNTY OF NEW YORK.)

SS.:

NELLIE LO RUSSELL, being duly sworn, deposes and says: That she is 38 years of age; that she resides on Churchill Avenue in the County of Somerset, State of New Jersey; that her said place of residence is a short distance back of the farm occupied by Jane Gibson, near Hamilton Road; in the said County and State; that deponent has resided at said place since the 15th day of March, 1921; that she has known the said Jane Gibson since about the said 15th day of March, 1921 and has from time to time visited the said Jane Gibson at her said farm and that the said Jane Gibson has from time to time visited at the place of residence of deponent; that on the 14th day of September, 1922 deponent returned from her work in the City of New York to her said place of residence at about 8 P.M.; that at about 9:45 P.M. deponent prepared to go to bed; that a few minutes before 10 P.M. on the said date deponent looked at her alarm clock and observed the time and then wound the clock; that a few minutes thereafter deponent heard her dog barking, went to the door and looked out; that deponent thereupon saw the said Jane Gibson approaching deponent's said place of residence; that deponent and the said Jane Gibson then engaged in a conversation and both sat down upon deponent's stoop; that the subject matter of the said conversation was the loss of a dog belonging to the deponent on the previous day; that the said Jane Gibson said that she had waited at her house until everyone had gone to bed

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before coming over to see the deponent; that the said Jane Gibson told deponent that on the morning of the said 14th day of September while she, the said Jane Gibson, was going for her mail, she had seen a Hungarian man on Hamilton Road leading by a chain the said dog belonging to deponent; that she, the said Jane Gibson, knowing that the said dog belonged to deponent, had taken the said dog from the said Hungarian forcibly, stating to him that the dog belonged to her, the said Jane Gibson; that the reason why she, the said Jane Gibson, had come over to see deponent was that she, the said Jane Gibson, feared that the said Hungarian might cause her arrest; that she, the said Jane Gibson, told deponent that the said dog was then at her farm; that the said conversation lasted about fifteen minutes; that deponent then put on her shoes and coat and accompanied the said Jane Gibson to the latter's farm; that as deponent and the said Jane Gibson approached near to the house of the said Jane Gibson, she requested deponent not to make any noise inasmuch as she stated that everyone in the house had gone to bed; that deponent and said Jane Gibson then went to a nearby chicken coop where deponent found her said dog; that deponent and the said Jane Gibson then went in the direction of another chicken coop on the said farm of the said Jane Gibson and remained nearby in conversation for some time thereafter; that deponent then left the said Jane Gibson and returned to the said place of residence of deponent; that upon her return thereto deponent tied up her said dog and entered her place of residence; that she immediately looked at her said

Gilbert P. Brush.